PROOF

STATE OF IOWA

House Journal

THURSDAY, MARCH 2, 2006

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JOURNAL OF THE HOUSE

Fifty-third Calendar Day - Thirty-seventh Session Day

Hall of the House of Representatives Des Moines, Iowa, Thursday, March 2, 2006

The House met pursuant to adjournment at 8:48 a.m., Speaker Rants in the chair.

Prayer was offered by Reverend Dan Toney, pastor of Grinnell Christian Church, Grinnell. He was the guest of Speaker protempore Danny Carroll of Poweshiek County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Rants.

The Journal of Wednesday, March 1, 2006 was approved.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

<u>House File 2347</u>, a bill for an act relating to the medical assistance provider payment adjustments, providing for transfer, appropriation, and deposit of funds, providing an effective date, and providing for retroactive applicability.

Also: That the Senate has on March 1, 2006, passed the following bill in which the concurrence of the House is asked:

<u>Senate File 2147</u>, a bill for an act relating to the requirement of location as an eligibility criterion for businesses under the enterprise zone program.

Also: That the Senate has on March 1, 2006, passed the following bill in which the concurrence of the House is asked:

<u>Senate File 2183</u>, a bill for an act allowing cities and counties to create enterprise zones near modes of transportation.

Also: That the Senate has on March 1, 2006, passed the following bill in which the concurrence of the House is asked:

<u>Senate File 2267</u>, a bill for an act relating to safe motor vehicle operation, including penalties for certain motor vehicle violations causing death or serious injury and classroom instruction for driver education courses.

Also: That the Senate has on March 1, 2006, passed the following bill in which the concurrence of the House is asked:

<u>Senate File 2268</u>, a bill for an act relating to financial transactions associated with agricultural production, by providing for tax credits and tax exemptions, and including effective and retroactive and other applicability dates.

Also: That the Senate has on March 1, 2006, passed the following bill in which the concurrence of the House is asked:

<u>Senate File 2273</u>, a bill for an act relating to financial and regulatory matters by making and revising appropriations for the fiscal year beginning July 1, 2005, and providing an effective date.

Also: That the Senate has on March 1, 2006, passed the following bill in which the concurrence of the House is asked:

<u>Senate File 2276</u>, a bill for an act relating to the maximum finance charge allowed for consumer loans secured by a certificate of title to a motor vehicle and making penalties applicable.

MICHAEL E. MARSHALL, Secretary

INTRODUCTION OF BILLS

<u>House Joint Resolution 2005</u>, by committee on state government, a joint resolution proposing an amendment to the Constitution of the State of Iowa to change the length of term of office for members of the Iowa House of Representatives from two years to four years.

Read first time and placed on the **calendar**.

House File 2602, by Foege, a bill for an act relating to voluntary annexation and municipal services provided to annexed territory.

Read first time and referred to committee on local government.

<u>House File 2603</u>, by Hogg, a bill for an act providing unpaid leave for employees attending school functions and providing a penalty.

Read first time and referred to committee on **commerce**, **regulation and labor**.

<u>House File 2604</u>, by Murphy, a bill for an act relating to state public improvements, by requiring an inspection by a building commissioning agent.

Read first time and referred to committee on local government.

<u>House File 2605</u>, by May, a bill for an act relating to the election of officers for an alternative form of county government, county sheriff, and schools, and providing an effective date.

Read first time and referred to committee on local government.

<u>House File 2606</u>, by committee on commerce, regulation and labor, a bill for an act relating to debt management, mortgage bankers and brokers, delayed deposit services, regulated loans, and industrial loans, and providing for fees and penalties.

Read first time and referred to committee on ways and means.

<u>House File 2607</u>, by Roberts, a bill for an act allowing revenues from a local option sales and services tax for school infrastructure to be used for construction and installation of wind energy conversion property for use by school districts.

Read first time and referred to committee on education.

<u>House File 2608</u>, by committee on economic growth, a bill for an act creating a regents accelerated career education program and providing job program tax credits.

Read first time and referred to committee on ways and means.

<u>House File 2609</u>, by committee on human resources, a bill for an act relating to the training of mandatory reporters of abuse by requiring the training to address identification of domestic abuse.

Read first time and placed on the calendar.

<u>House File 2610</u>, by committee on economic growth, a bill for an act relating to historic preservation and cultural and entertainment district tax credits.

Read first time and referred to committee on ways and means.

<u>House File 2611</u>, by committee on natural resources, a bill for an act authorizing the department of natural resources to issue a fishing permit to certain students.

Read first time and placed on the calendar.

<u>House File 2612</u>, by committee on natural resources, a bill for an act providing criminal penalties for the failure of a vessel operator to offer assistance and information at the scene of a collision, accident, or casualty.

Read first time and placed on the calendar.

<u>House File 2613</u>, by committee on economic growth, a bill for an act concerning programs and reports related to economic development.

Read first time and placed on the calendar.

<u>House File 2614</u>, by committee on economic growth, a bill for an act relating to a rural economic development program and fund and making appropriations.

Read first time and referred to committee on appropriations.

House File 2615, by committee on economic growth, a bill for an act creating an insurance industry new jobs tax credit.

Read first time and referred to committee on ways and means.

House File 2616, by committee on human resources, a bill for an act relating to persons with mental illness, mental retardation, developmental disabilities, or brain injury by addressing purposes and quality standards for services and other support available for such persons, establishing basic financial eligibility standards, addressing state and county financial responsibility for the cost of the services and other support, and providing effective and applicability dates.

Read first time and referred to committee on appropriations.

SENATE MESSAGES CONSIDERED

<u>Senate File 2147</u>, by Angelo, a bill for an act relating to the requirement of location as an eligibility criterion for businesses under the enterprise zone program and providing an effective date.

Read first time and referred to committee on ways and means.

<u>Senate File 2183</u>, by committee on economic growth, a bill for an act allowing cities and counties to create enterprise zones near modes of transportation.

Read first time and referred to committee on ways and means.

<u>Senate File 2267</u>, by committee on transportation, a bill for an act relating to safe motor vehicle operation, including penalties for certain motor vehicle violations causing death or serious injury and classroom instruction for driver education courses.

Read first time and passed on file.

<u>Senate File 2268</u>, by committee on ways and means, a bill for an act relating to financial transactions associated with agricultural production, by providing for tax credits and tax exemptions, and including effective and retroactive and other applicability dates.

Read first time and referred to committee on ways and means.

<u>Senate File 2273</u>, by committee on appropriations, a bill for an act relating to financial and regulatory matters by making and revising appropriations for the fiscal year beginning July 1, 2005, and providing an effective date.

Read first time and referred to committee on appropriations.

<u>Senate File 2276</u>, by committee on commerce, a bill for an act relating to the maximum finance charge allowed for consumer loans secured by a certificate of title to a motor vehicle and making penalties applicable.

Read first time and referred to committee on **commerce**, **regulation and labor**.

SPECIAL PRESENTATION TO HOUSE PAGES

Speaker Rants invited the House Pages to the Speaker's station for a special presentation and thanked them for their service to the House of Representatives.

Certificates of excellence for serving with honor and distinction as a House Page during the Second Regular Session of the Eighty-first General Assembly were presented to the following Pages by Speaker Christopher Rants and Majority Leader Chuck Gipp and Minority Leader Patrick Murphy.

Leah Caputo Jacob Harden
Marla Claussen Elizabeth Johnson
Jessica Crawford Greta Johnson
Emily Fletcher Jacob Johnson
Anna Frisk

SENATE FILE 2232 PLACED ON THE UNFINISHED BUSINESS CALENDAR

Gipp of Winneshiek asked and received unanimous consent to place Senate File 2232 on the Unfinished Business Calendar.

HOUSE FILE 2057 WITHDRAWN

Granzow of Hardin asked and received unanimous consent to withdraw House File 2057 from further consideration by the House.

HOUSE FILE 2042 WITHDRAWN

Carroll of Poweshiek asked and received unanimous consent to withdraw House File 2042 from further consideration by the House.

HOUSE FILE 2561 REFERRED

The Speaker announced that <u>House File 2561</u>, previously placed on **calendar** was referred to committee on **appropriations**.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 1, 2006, he approved and transmitted to the Secretary of State the following bills:

<u>House File 2050</u>, an Act relating to elections by making changes concerning requirements for entrances to certain polling places, arrangement of names on the ballot for nonpartisan offices, and election registers, and including effective and applicability date provisions.

<u>House File 2051</u>, an Act relating to maintenance of a voter registration system separate from the state voter registration system and providing an effective date.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARGARET A. THOMSON Chief Clerk of the House

2006\804	Thomas Alan Ward, Manchester – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
2006\805	Dustin Anthony Schaffer, Manchester – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
2006\806	T.J. Moen, Saydel High School – For winning 1^{st} place in the 140lb. weight class in the 2–A Division of the Iowa State Wrestling Tournament.
2006\807	Matt Campbell, Newton – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.

SUBCOMMITTEE ASSIGNMENT

House File 2496

Education: Tymeson, Chair; Chambers and Hogg.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

House Study Bill 758

Education: Tymeson, Chair; Chambers, Kaufmann, Oldson and Wendt.

House Study Bill 759

Agriculture: Alons, Chair; Frevert and Huseman.

House Study Bill 762

Agriculture: Dolecheck, Chair; Struyk and Swaim.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 763 Agriculture

Relating to drainage districts, by providing for a right to remonstrate.

H.S.B. 764 Appropriations

Relating to and making appropriations to the department of human services, the department of elder affairs, the Iowa department of public health, the department of veterans affairs and the Iowa veterans home, and the department of inspections and appeals, providing for fee increases, and including other related provisions and appropriations, and providing effective dates.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

MARGARET A. THOMSON Chief Clerk of the House

COMMITTEE ON AGRICULTURE

Committee Bill (Formerly <u>House File 2551</u>), relating to agricultural drainage wells by providing for the implementation of water quality practices as an alternative to constructing alternative drainage systems.

Fiscal Note is not required.

Recommended Do Pass March 2, 2006.

Committee Bill (Formerly <u>House Study Bill 736</u>), precluding certain enforcement actions by the department of natural resources or the attorney general based on detrimental reliance.

Fiscal Note is not required.

Committee Bill (Formerly <u>House Study Bill 711</u>), providing for an equine industry development commission and related fund.

Fiscal Note is not required.

Recommended Amend and Do Pass March 2, 2006.

Committee Bill (Formerly <u>House Study Bill 748</u>), relating to requirements for open feedlot operations, by providing for nutrient management plans and operating permits, and providing an effective date and retroactive applicability.

Fiscal Note is not required.

Recommended Do Pass March 2, 2006.

Committee Bill (Formerly <u>House Study Bill 759</u>), providing for the conversion of cooperative associations, and providing for an effective date.

Fiscal Note is not required.

Recommended Do Pass March 2, 2006.

Committee Bill (Formerly <u>House Study Bill 762</u>), providing for the exhibition of swine.

Fiscal Note is not required.

Recommended Do Pass March 2, 2006.

Committee Bill (Formerly <u>House Study Bill 763</u>), relating to drainage districts, by providing for a right to remonstrate.

Fiscal Note is not required.

Recommended Do Pass March 2, 2006.

COMMITTEE ON ECONOMIC GROWTH

Committee Bill (Formerly <u>House File 2027</u>), establishing an economic enterprise area infrastructure fund and making appropriations.

Fiscal Note is not required.

Recommended Amend and Do Pass March 1, 2006.

Committee Bill (Formerly <u>House File 2031</u>), relating to the establishment of small business development centers and making appropriations.

Fiscal Note is not required.

Committee Bill (Formerly <u>House File 2309</u>), creating the community foundation fund, providing an Iowa individual income tax checkoff for the community foundation fund, making an appropriation, and providing for the Act's implementation.

Fiscal Note is not required.

Recommended Amend and Do Pass March 1, 2006.

Committee Bill (Formerly <u>House File 2392</u>), relating to investment tax credits for investments in targeted small businesses.

Fiscal Note is not required.

Recommended Do Pass March 1, 2006.

Committee Bill (Formerly <u>House Study Bill 732</u>), creating a mathematics and science teacher practical experience incentive program and providing for a tax credit from withholding.

Fiscal Note is not required.

Recommended Amend and Do Pass March 1, 2006.

Committee Bill (Formerly <u>House Study Bill 733</u>), relating to alternative and renewable energy for purposes of economic development.

Fiscal Note is not required.

Recommended Amend and Do Pass March 1, 2006.

Committee Bill (Formerly <u>House Study Bill 745</u>), relating to bioscience financial assistance and making an appropriation.

Fiscal Note is not required.

Recommended Do Pass March 1, 2006.

COMMITTEE ON EDUCATION

Committee Bill (Formerly <u>House Study Bill 590</u>), establishing a jump-start grant program for the postsecondary education expenses of Iowa students who receive high school diplomas prior to enrollment as high school seniors.

Fiscal Note is not required.

Recommended Amend and Do Pass March 2, 2006.

Committee Bill (Formerly <u>House Study Bill 725</u>), relating to the minimum hours of instructional school time in a school year for grades one through twelve for school districts, charter schools, and accredited nonpublic schools.

Fiscal Note is not required.

Committee Bill (Formerly <u>House Study Bill 758</u>), relating to the establishment of a statewide educational standards and accountability task force.

Fiscal note is not required.

Recommended Amend and Do Pass March 2, 2006.

COMMITTEE ON HUMAN RESOURCES

Committee Bill (Formerly <u>House File 2350</u>), providing for the establishment of a blood lead testing requirement under specified circumstances, and making an appropriation.

Fiscal Note is not required.

Recommended Amend and Do Pass March 2, 2006.

Committee Bill (Formerly <u>House File 2452</u>), relating to involuntary termination of parental rights proceedings, providing an effective date, and providing for retroactive applicability.

Fiscal Note is not required.

Recommended Amend and Do Pass March 2, 2006.

Committee Bill (Formerly <u>House File 2472</u>), relating to the establishment of a family success counseling grant program, and providing an appropriation.

Fiscal Note is not required.

Recommended Amend and Do Pass March 2, 2006.

Committee Bill (Formerly <u>House Study Bill 647</u>), relating to programs and functions under the purview of the Iowa department of public health.

Fiscal Note is not required.

Recommended Amend and Do Pass March 2, 2006.

 $\textbf{Committee Bill} \ (Formerly \ \underline{ \mbox{House Study Bill 674} }), \ relating \ to \ medical \ malpractice \ actions.$

Fiscal Note is not required.

Recommended Do Pass March 2, 2006.

Committee Bill (Formerly <u>House Study Bill 753</u>), relating to a single point of entry long-term living resources system.

Fiscal Note is not required.

Recommended Do Pass March 2, 2006.

COMMITTEE ON JUDICIARY

House File 2147, a bill for an act relating to the temporary appointment of a conservator for a dependent adult in an emergency situation.

Fiscal Note is not required.

Recommended Do Pass February 28, 2006.

House File 2233, a bill for an act relating to the time limit on executions of judgments and orders for wage garnishments.

Fiscal Note is not required.

Recommended Do Pass February 28, 2006.

Committee Bill (Formerly <u>House File 701</u>), relating to animal feeding operations, by providing for chronic complaints.

Fiscal Note is not required.

Recommended Amend and Do Pass March 1, 2006.

Committee Bill (Formerly <u>House Study Bill 606</u>), relating to joint physical care of children in dissolution cases.

Fiscal Note is not required.

Recommended Do Pass March 1, 2006.

Committee Bill (Formerly <u>House Study Bill 615</u>), relating to the recognition of a civil judgment, decree, or order of the tribal court of the Sac and Fox Indian tribe of the Mississippi in Iowa.

Fiscal Note is not required.

Recommended Do Pass March 1, 2006.

Committee Bill (Formerly <u>House Study Bill 616</u>), relating to the effective period and legislative review of administrative rules.

Fiscal Note is not required.

Recommended Do Pass March 1, 2006.

Committee Bill (Formerly <u>House Study Bill 649</u>), relating to landlords and tenants including notice requirements to terminate a periodic tenancy, representation of an owner of residential rental property in small claims court, and service of a petition for forcible entry and detainer by publication.

Fiscal Note is not required.

Committee Bill (Formerly <u>House Study Bill 752</u>), containing various provisions relating to business entities, including limited partnerships, corporations, limited liability companies, cooperatives, and nonprofit corporations.

Fiscal Note is not required.

Recommended Amend and Do Pass March 1, 2006.

Committee Bill (Formerly <u>House Study Bill 761</u>), relating to civil actions and the foreclosure of real estate mortgages, and providing fees.

Fiscal Note is not required.

Recommended Do Pass March 1, 2006.

Committee Bill (Formerly <u>House Study Bill 756</u>), relating to the voting requirements for actions by the administrative rules review committee.

Fiscal Note is not required.

Recommended Do Pass March 1, 2006.

Committee Bill (Formerly <u>House Study Bill 757</u>), relating to the assessment of a civil penalty when a person receives a deferred judgment in a criminal proceeding.

Fiscal Note is not required.

Recommended Do Pass March 1, 2006.

Committee Bill (Formerly <u>House Study Bill 760</u>), relating to an award of attorney fees in an action to enforce a mechanic's lien.

Fiscal Note is not required.

Recommended Do Pass March 1, 2006.

COMMITTEE ON PUBLIC SAFETY

Committee Bill (Formerly <u>House Study Bill 754</u>), relating to the confinement of a prisoner in a municipal holding facility or county jail.

Fiscal Note is not required.

Recommended Do Pass March 1, 2006.

Committee Bill (Formerly <u>House Study Bill 737</u>), concerning the department of public defense, including the military, civil air patrol, and homeland security and emergency management, and providing penalties.

Fiscal Note is not required.

Committee Bill (Formerly <u>House File 2254</u>), providing for the licensure of operators authorized to use and explode fireworks and making penalties applicable.

Fiscal Note is not required.

Recommended Amend and Do Pass March 1, 2006.

Committee Bill (Formerly <u>House Study Bill 529</u>), relating to the disposal of a controlled substance.

Fiscal Note is not required.

Recommended Amend and Do Pass March 1, 2006.

Committee Bill (Formerly <u>House Study Bill 721</u>), relating to the issuance of permits to carry weapons.

Fiscal Note is not required.

Recommended Amend and Do Pass March 1, 2006.

Committee Bill (Formerly <u>House File 2369</u>), relating to accidental disability retirement benefits for a peace officer who is exposed to noxious substances and providing effective and retroactive applicability dates.

Fiscal Note is not required.

Recommended Amend and Do Pass March 1, 2006.

COMMITTEE ON STATE GOVERNMENT

Committee Bill (Formerly <u>House File 321</u>), changing the bid threshold requirements for certain public improvement contracts.

Fiscal Note is not required.

Recommended Amend and Do Pass March 1, 2006.

Committee Bill (Formerly <u>House File 2004</u>), concerning the allocation of gambling tax revenues to the county endowment fund.

Fiscal Note is not required.

Recommended Amend and Do Pass March 1, 2006.

Committee Bill (Formerly <u>House File 2172</u>), concerning the line of duty death benefit payable to public safety providers and making appropriations.

Fiscal Note is not required.

Committee Bill (Formerly <u>House File 2517</u>), concerning horse racing by providing for minimum racing days and arbitration for resolving disputes on horse racing agreements among representatives of horse breeds.

Fiscal Note is not required.

Recommended Amend and Do Pass March 2, 2006.

Committee Bill (Formerly <u>House Study Bill 510</u>), providing for the process of congressional and legislative redistricting.

Fiscal Note is not required.

Recommended Amend and Do Pass March 1, 2006.

Committee Bill (Formerly <u>House Study Bill 512</u>), creating a defined contribution pension option for employees covered by the Iowa public employees' retirement system.

Fiscal Note is not required.

Recommended Amend and Do Pass March 2, 2006.

Committee Bill (Formerly <u>House Study Bill 624</u>), concerning the authority of customer councils regarding the funding and providing of services by the department of administrative services and providing an effective date.

Fiscal Note is not required.

Recommended Do Pass March 2, 2006.

Committee Bill (Formerly <u>House Study Bill 625</u>), relating to building regulations, by establishing an internet website in the office of the state building code commissioner and requiring local governmental entities to report the adoption or amendment of local building regulations, and providing an effective date.

Fiscal Note is not required.

Recommended Do Pass March 1, 2006.

Committee Bill (Formerly <u>House Study Bill 626</u>), providing for changes relating to specified aspects of the operation of the department of administrative services.

Fiscal Note is not required.

Committee Bill (Formerly <u>House Study Bill 687</u>), providing for the confidentiality of certain records relating to charitable donations for the benefit of a government body.

Fiscal Note is not required.

Recommended Amend and Do Pass March 1, 2006.

Committee Bill (Formerly <u>House Study Bill 697</u>), establishing a deferred retirement option plan for members of the statewide fire and police retirement system and including an implementation provision.

Fiscal Note is not required.

Recommended Do Pass March 2, 2006.

Committee Bill (Formerly <u>House Study Bill 700</u>), establishing statewide licensure of electricians and installers, providing for inspections, establishing fees, and providing penalties.

Fiscal Note is not required.

Recommended Amend and Do Pass March 1, 2006.

Committee Bill (Formerly <u>House Study Bill 746</u>), concerning alcoholic beverage control relating to manufacturers providing free cleaning services to retailers and prohibiting wholesalers from providing certain coupons to retailers and making penalties applicable.

Fiscal Note is not required.

Recommended Amend and Do Pass March 1, 2006.

COMMITTEE ON VETERANS AFFAIRS

Committee Bill (Formerly <u>House File 2308</u>), exempting military duty and retirement pay received from the federal government by members of the armed forces from the individual income tax and including a retroactive applicability date provision.

Fiscal Note is not required.

Recommended Do Pass March 1, 2006.

Committee Bill (Formerly <u>House Study Bill 581</u>), concerning the minimum balance necessary in order to expend funds from the veterans trust fund.

Fiscal Note is not required.

Recommended Amend and Do Pass March 1, 2006.

Committee Bill (Formerly <u>House Study Bill 675</u>), providing hardship grants on behalf of veterans seriously injured in a combat zone, providing an income tax exclusion, and including effective date and retroactive applicability provision.

Fiscal Note is not required.

RESOLUTION FILED

<u>HR 136</u>, by committee on human resources, a resolution recognizing the month of May 2006 as Iowa Heart Health Month.

Laid over under Rule 25.

AMENDMENTS FILED

<u>H-8064</u>	H.F.	2540	S. Olson of Clinton
			De Boef of Keokuk
<u>H-8065</u>	H.F.	2459	Ford of Polk
<u>H-8066</u>	H.F.	2540	De Boef of Keokuk
H-8067	<u>S.F.</u>	2076	De Boef of Keokuk
<u>H-8068</u>	H.F.	2540	De Boef of Keokuk
H-8069	H.F.	2459	Kressig of Black Hawk
Swaim of Davis			Wessel-Kroeschell of Story
Gaskill of Wapello			Jochum of Dubuque
Hogg of Linn			Reichert of Muscatine
D. Olson of Boone			Pettengill of Benton
Kuhn of Floyd			Mertz of Kossuth
H-8070	H.F.	2540	Swaim of Davis
H-8071	H.F.	2540	Greiner of Washington
H-8072	H.F.	2540	Thomas of Clayton
H-8073	H.F.	2540	D. Olson of Boone
H-8074	H.F.	2540	D. Olson of Boone

On motion by Gipp of Winneshiek the House adjourned at 9:02 a.m., until 9:00 a.m., Friday, March 3, 2006.